

City of Montgomery
City Council Business Session Minutes
March 7, 2007

Present

Cheryl Hilvert, City Manager
Terry Donnellon, Law Director
Evelyn Dumont, Acting Clerk of Council
Wayne Davis, Assistant City Manager
Bob Nikula, Public Works Director
Paul Wright, Fire Chief
Don Simpson, Police Chief
Peter Hames, Finance Director

Council Members Present

Gerri Harbison, Mayor
Mark Combs
Barry Joffe
William Niehaus
Lynda Roesch
Ken Suer
Todd Steinbrink

Council convened in Council Chambers at 7:00 p.m. with Mayor Harbison presiding.

ROLL CALL

Mayor Harbison asked for a motion to dispense with the roll call since everyone was in attendance.

Mr. Combs moved to dispense with the roll call. Mr. Steinbrink seconded. City Council unanimously agreed.

SPECIAL PRESENTATION

Mr. Bob Harrison, City Manager, of the City of Wyoming, explained the Ohio City/County Management Association is recognizing the City of Montgomery's Health Care Benefits Committee, for its receipt of an Innovation in Government Management award. He further explained that with health insurance nationwide continuing to take on an ever-expanding proportion of organizational budgets, organizations everywhere are scrambling to adapt to the changing health insurance market, and trying to meet the challenges of meeting their health coverage needs. The City's Health Care Benefits Committee, is comprised of five members, representing each of the City's primary departments: Public Works, Police, Fire, and Administration, with the last position filled by a member of the management team. Each of these members was nominated from his/her work groups to sit on the Health Care Benefits Committee with a charge of representing each work group's health care concerns, while negotiating the most cost-effective insurance rates for all employees and the City as a whole; maintaining comprehensive, effective coverage, and communicating the health care issues back to their respective work group. He also explained that the most notable and clearly defined measurable outcomes/results of the Health Care Benefits Committee have been the reduction in the rates of increase for the City's insurance premiums, the sharing of health care cost with employees, and the creation of a City-sponsored employee wellness program.

Mr. Harrison presented the award to Ms. Sharon Savitt and Mr. Jim Stewart members of the Health Care Benefits Committee.

City Council expressed its sincere appreciation to Ms. Savitt and Mr. Stewart and other members of the Committee for work well done on keeping health care costs down in the City.

GUESTS AND RESIDENTS

There were no residents or guests to address council tonight.

MINUTES

Mr. Suer moved to approve the minutes from the January 24, 2007 public hearing, January 24, 2007 work session and February 7, 2007 business session. Mr. Steinbrink seconded. City Council unanimously approved the minutes.

LEGISLATION FOR CONSIDERATION TONIGHT

New Legislation

A Resolution Authorizing Lawn Mowing Contract Extensions for the Mowing of Various Parcels Throughout the City of Montgomery During 2007

Mr. Niehaus moved that this resolution be read in title only. Mr. Combs seconded and the motion passed unanimously.

Mr. Niehaus read the resolution in title only and moved passage. Mr. Combs seconded.

Mr. Niehaus stated that, if approved, this resolution will authorize the extension of the contracts granted in 2006 for KMB Lawn and Landscaping, the Planted Earth Lawn and Landscaping, and Merkle Lawn Care for the mowing of various parcels throughout the City. He further stated that during the bidding process in 2006, the City also requested proposals for 2007 pricing. As a result of this process and the City's satisfaction with the lawn mowing services, staff recommended that these contracts be extended for the 2007 mowing season.

The roll was called and showed the following vote:

AYE: Combs, Joffe, Harbison, Niehaus, Roesch, Suer, Steinbrink	(7)
NAY:	(0)
ABSENT:	(0)

A Resolution Authorizing the City Manager to Enter into a Federal Local Let Project Agreement with the Ohio Department of Transportation for the Project Known as the HAM-US22-15.29 Project, PID No. 81422

Ms. Roesch moved that this resolution be read in title only. Mr. Joffe seconded and the motion passed unanimously.

Ms. Roesch read the resolution in title only and moved passage. Mr. Suer seconded.

Ms. Roesch explained that this resolution, if approved, will authorize the City Manager to enter into a LPA Federal Local Let Project agreement with the Ohio Department of Transportation to complete a project known as HAM-US22-15.29. She further explained that the City of Montgomery has made application to the Ohio Department of Transportation for funding to modify the existing roadway and turn lanes of US22 (Montgomery Road) at the Bethesda North Hospital Intersection. The Ohio Department of Transportation has approved funding for this work, which will require modifications of the existing Montgomery Road medians immediately north and south of the Bethesda North Hospital's main entrance to align the northbound and southbound left turn lanes. This realignment will be designed to reduce the likelihood of right angle collisions at this intersection. The other component of the project will provide improved warning signs along southbound

Montgomery Road to advise motorists of the lane “drop” between the Bethesda North Hospital intersection and Pfeiffer Road. She also explained that the funding for the project will be on a 50%-50% basis between the Ohio Department of Transportation and the City with a cap set at \$120,000.

The roll was called and showed the following vote:

AYE: Combs, Joffe, Harbison, Niehaus, Roesch, Suer, Steinbrink	(7)
NAY:	(0)
ABSENT:	(0)

An Ordinance Amending Section 50.02 of the Code of Ordinances Governing the Disposal of Real Estate Pursuant to an Urban Renewal/Urban Redevelopment Plan or Through the Montgomery Community Improvement Corporation

Mr. Steinbrink moved that this ordinance be read in title only. Mr. Combs seconded and the motion passed unanimously.

Mr. Steinbrink read the ordinance in title only and moved passage of the first reading. Mr. Combs seconded.

Mr. Steinbrink explained that if approved, this ordinance will amend Section 50.02 of the Code of Ordinance governing the disposal of real estate. He further explained that this amendment will recognize that there are exceptions to the disposal of other real estate besides property devoted to parks, recreation areas, greenbelts, or other preserves. If property is acquired through an urban renewal plan and it is the intent of the City to sell the property through such a plan, that Chapter of the Code would prevail.

Mr. Donnellon noted that the City has always had the ability to dispose of real estate through the Montgomery Community Improvement Corporation. In fact, past City Councils have acquired and sold property through the Community Improvement Corporation. He further noted that this is an implied authority within the Code and it has never presented an obstacle. However, it is important that the City clarify this issue now so there are no title questions in the future as to the authority of City Council or the Community Improvement Corporation to dispose of real estate.

The roll was called and showed the following vote:

AYE: Combs, Joffe, Harbison, Niehaus, Roesch, Suer, Steinbrink	(7)
NAY:	(0)
ABSENT:	(0)

ADMINISTRATION REPORT

Ms. Hilvert reported on the following items:

- Staff met this week with representatives from Great Traditions to discuss the service agreement that will need to be executed for the construction of the public parking garages on the Vintage Club site.
- On Monday, March 5, 2007, the Planning Commission approved the finding of facts on the Twin Lakes proposal.

- The City has received notice from the Ohio Department of Transportation that it intends to install sound walls along Interstate 275 from the Montgomery Road interchange to Loveland Madeira Road. Ohio Department of Transportation provided the City with a notification of the preliminary construction meeting on March 21, 2007 for the project. Ohio Department of Transportation held an open house in March 2004 and subsequently provided a response regarding the feedback received during the open house. Since this project has been funded for construction and a contractor has been selected, the City will include information regarding the noise barrier wall project in the April Montgomery Bulletin, on the website, and letters will be sent to residents who will be directly impacted by the construction.
- In response to the City's inquiry to the State of Ohio regarding the Hazelwood Botanical Preserve, a meeting was held with a representative from Ohio Treasurer Richard Cordray's office to discuss the preserve and to tour the facility to ensure a better understanding on the state's part with regard to this important parcel of property. Additionally, the City of Blue Ash has also written a letter to the State of Ohio and the University of Cincinnati, supporting the City's position in this matter. The City received a letter from the University of Cincinnati noting that the University has done quite a bit of research on the State of Ohio's inquiry into the property and feels certain that it will remain in its current state for some time.
- The first in the series of three public meetings on the parks master plan will be held at Good Shepherd Church on Thursday, March 8, 2007. There are two more public meetings scheduled this month and a series of 10 stakeholder meetings planned.

MAYOR'S COURT REPORT

Mrs. Harbison reported that the total Mayor's Court collections for the month of February, 2007 were \$10,302.00.

Mr. Suer moved to accept the Mayor's Court collections for the month of February, 2007. Mr. Combs seconded. City Council unanimously accepted the collections.

OTHER BUSINESS

Liquor License Hearing Request

Mr. Combs moved to not request a hearing on the transfer of the D-5 and D-6 liquor license from Chin Dynasty Inc. dba Pacific Moon Café to Allure Restaurant Inc. Mr. Niehaus seconded. City Council unanimously agreed.

Appointment to the Beautification and Tree Commission

Mayor Harbison noted that, at the Government Affairs Committee of City Council meeting on Tuesday, February 27, 2007 the Committee discussed and unanimously agreed that the Beautification and Tree Commission should be under the Parks and Recreation Committee of City Council.

Ms. Roesch moved to re-appoint Mrs. Jodi Keith to the Beautification and Tree Commission for a term expiring 2/28/2010.

Ms. Roesch moved to appoint Mrs. Jane Hohn to the Beautification and Tree Commission for a term expiring 2/28/2009.

Ms. Roesch moved to appoint Mrs. Judy Feltner to the Beautification and Tree Commission for a term expiring 2/28/2009.

Ms. Roesch moved to appoint Mrs. Helen Grimes to the Beautification and Tree Commission for a term expiring 2/28/2010.

Mr. Suer seconded the appointments. City Council unanimously approved the appointments to the Beautification and Tree Commission.

Mayor Harbison asked if there was any other business to discuss in public session.

There being no other business, Mr. Steinbrink moved to adjourn. Mr. Niehaus seconded. Motion carried

Council adjourned at 7:27 p.m.

Clerk of Council